

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

Attorney Docket No. 06129

U.S. Application No. (if known,  
see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/EP2005/004565

INTERNATIONAL FILING DATE  
April 28, 2005

PRIORITY DATE CLAIMED  
April 29, 2004

TITLE OF INVENTION  
FIXING FOR A RAIL AND ARRANGEMENT FOR FIXING RAILS

APPLICANT(S) FOR DO/EO/US

Hubertus HOHNE, Hans-Ulrich DIETZE, Heinz OSSBERGER, Josef LEITNER, John PORRILL & David R. SEELEY

Applicant herewith submits to the United States Designated Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has previously been submitted under 35 USC 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (only if not required by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ As assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published international application under 35 USC 154(d)(4).
19. ☐ A second copy of the English translation of the international application under 35 USC 154(d)(4).
20. ☐ Other items or information:

Customer No.

23338

PATENT AND TRADEMARK OFFICE

US APPLICATION NO. (if known)		INTERNATIONAL APPLICATION NO. PCT/EP2005/004565		ATTORNEY'S DOCKET NO. 06129	
<input type="checkbox"/> The following fees are submitted:					
21. <input checked="" type="checkbox"/> Basic National Fee		\$300.00		\$300.00	
22. <input checked="" type="checkbox"/> Examination Fee				\$200.00	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy PCT Article 33(1)-(4)		\$0			
All other situations		\$200.00			
23. <input checked="" type="checkbox"/> Search Fee				\$400.00	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy PCT Article 33(1)-(4)		\$0			
Search fee paid on international application to USPTO as ISA		\$100.00			
International Search Report prepared by ISA other than US and provided to or previously communicated to US by ISA		\$400.00			
All other situations		\$500.00			
TOTAL OF 21, 22 and 23				\$900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250 for each additional 50 pages or fraction thereof.				\$	
Surcharge of \$130.00 for furnishing oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	22 -20=	2	X \$50.00	\$100.00	
Independent Claims	2 -3=		X \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			\$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.					
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$1130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$1130.00	
				Amount to be refunded:	\$
				charged:	\$

- a. ☐ A check in the amount of \$ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 04-0753 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0753. A duplicate copy of this sheet is enclosed.
- d. ☒ A payment of \$ 1130.00 is made by credit card. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 or any patent application processing fees under 37 CFR 1.17, or credit any over payment to Deposit Account 04-0753. Refund of all amounts overpaid, including those of twenty-five dollars or less, is specifically requested. Any fees not accepted by the credit card used may be charged to Deposit Account No. 04-0753.

**PLEASE ASSOCIATE THIS APPLICATION WITH CUSTOMER NUMBER 23338 AND CONDUCT CORRESPONDENCE WITH THE UNDERSIGNED ATTORNEY.**

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SIGNATURE  
Ira J. Schultz  
NAME

28666  
REGISTRATION NUMBER